



**Hermosa Beach Office**  
Phone: (310) 798-2400

**San Diego Office**  
Phone: (858) 999-0070  
Phone: (619) 940-4522

## Chatten-Brown, Carstens & Minter LLP

2200 Pacific Coast Highway, Suite 318  
Hermosa Beach, CA 90254  
[www.cbcearthlaw.com](http://www.cbcearthlaw.com)

**Douglas Carstens**  
Email Address:  
[dpc@cbcearthlaw.com](mailto:dpc@cbcearthlaw.com)  
Direct Dial:  
310-798-2400 Ext. 1

June 26, 2020

County Board of Supervisors  
C/O County Clerk  
800 S. Victoria Ave.  
Oxnard, California 93009-1940  
[Clerkoftheboard@ventura.org](mailto:Clerkoftheboard@ventura.org)

Re: Objection to County's Purported Extension of Exclusive Rights to  
Negotiate with Channel Islands Harbor Properties LLC on June 23, 2020;  
Demand to Cure and Correct Brown Act Violation

Honorable Supervisors,

On behalf of our clients, the Harbor and Beach Community Alliance, we object to the purported extension of Exclusive Rights to Negotiate (ERNs) with Channel Islands Harbor Properties LLC. This purported extension of the ERNs occurred after the agenda item (June 23, 2020 Agenda Item 41) for considering the ERNs had already been heard, a vote taken, the ERN extension rejected, and the next agenda item called.

We demand that you cease and desist in your continuing efforts to defeat the public transparency purposes of the Brown Act, and that you rescind the purported extension of the ERNs approved by the County on June 23, 2020. This extension occurred upon reconsideration of an earlier vote against the extension that had occurred at a publicly noticed hearing. The reconsideration did not occur pursuant to a properly agenda item action to reconsider the earlier vote, nor did it allow public participation as required by the Brown Act. After Agenda Item 41 closed after the vote had been taken, members of the public were no longer able to comment on or participate in reconsideration of the vote against the ERNs.

The County must rescind its reconsideration of the vote against the extensions. The valid vote rejecting the ERN extensions clearly occurred at minute 3:47.50 of the recording of the Board hearing. The invalid vote approving the extensions occurred at 4:15:00 of the recorded hearing.

Pursuant to Government Code section 54960.1, we hereby demand that the County cure or correct its violations of the Brown Act within 30 days or we will consider all available options, including seeking judicial determination that the action taken violated

County of Ventura  
June 26, 2020  
Page 2

the Brown Act and will seek reasonable attorneys' fees and costs incurred in bringing such an action.

Sincerely,

A handwritten signature in blue ink, appearing to read "Douglas P. Carstens", with a stylized flourish at the end.

Douglas P. Carstens